IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Un	United States of America,)				
	Plaintiff,) 8:06MJ25)			
	vs.)) DETENTION ORDER)			
Kir	mberly Thiem,))			
	Defendant.)			
A.	Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).				
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 				
C.		vices Report, and includes the following: e offense charged: y to possess with intent to distribute hetamine is a serious crime and carries a 10 years to life imprisonment.			
	(b) The offense is a crime of (c) The offense involves a na (d) The offense involves a la (2) The weight of the evidence agai (3) The history and characteristics of	violence. arcotic drug. rge amount of controlled substances: nst the defendant is high.			

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	The defendant is not a long time resident of the
	community. The defendant does not have any significant community
	ties. Past conduct of the defendant:
	ast conduct of the defendant.
<u>X</u>	The defendant has a history relating to drug abuse.
	The defendant has a history relating to alcohol abuse.
	The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at
	court proceedings.
(b) At the t	ime of the current arrest, the defendant was on:
	Probation
	Parole
	Release pending trial, sentence, appeal or completion of
(c) Other F	sentence.
(0) 311011	The defendant is an illegal alien and is subject to
	deportation.
	The defendant is a legal alien and will be subject to
	deportation if convicted.
	The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.
	Other:
(4) The nature an	d seriousness of the danger posed by the defendant's
release are as	
·	
X (5) Rebuttable P	resumptions
_ 、 ,	that the defendant should be detained, the Court also
	ollowing rebuttable presumption(s) contained in 18 U.S.C.
- , ,	ch the Court finds the defendant has not rebutted:
· ,	condition or combination of conditions will reasonably the appearance of the defendant as required and the
	of any other person and the community because the Court
,	at the crime involves:
	(1) A crime of violence; or
	(2) An offense for which the maximum penalty is life
V	imprisonment or death; or (3) A controlled substance violation which has a
<u>X</u>	maximum penalty of 10 years or more; or

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(4)	A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.	
	dition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the		
safety of the community because the Court finds that there is		
probable cause to believe:		
. X (1)	That the defendant has committed a controlled	
	substance violation which has a maximum penalty of	
	10 years or more.	
(2)	That the defendant has committed an offense under	
(-/	18 U.S.C. § 924(c) (uses or carries a firearm during	
	and in relation to any crime of violence, including a	
	assure the a safety of the probable ca	

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

dangerous weapon or device).

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 9, 2006.

BY THE COURT:

crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or

s/ F. A. Gossett United States Magistrate Judge